

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,
IN AND FOR LEON COUNTY, FLORIDA

STATE OF FLORIDA, DEPARTMENT
OF TRANSPORTATION,

Petitioner,

vs.

Case No.: 05-CA-2106

RB&J ASSOCIATES, a Florida limited
partnership, and others,

Parcel No.: 100
(Estate of Harry M. Middlebrooks, deceased)

Defendants.

SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT (hereinafter referred to as this "Agreement") is made, executed and entered into as of December 14, 2005, by and among

LEON COUNTY, FLORIDA, a charter county and political subdivision of the State of Florida, whose mailing address is 301 South Monroe Street, Tallahassee, Florida 32301 (hereinafter referred to as the "COUNTY"), by and through its undersigned attorney,

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, whose mailing address is P.O. Box 607, Chipley, Florida 32428 (hereinafter referred to as the "DOT"), by and through its undersigned attorney, and

HARRY MAYS MIDDLEBROOKS, JR., AS PERSONAL REPRESENTATIVE OF THE ESTATE OF HARRY M. MIDDLEBROOKS, DECEASED, whose mailing address is 1300 Thomaswood Drive, Tallahassee, Florida 32308 (hereinafter referred to as "MIDDLEBROOKS"), by and through its undersigned attorney.

The COUNTY, the DOT and MIDDLEBROOKS are hereinafter collectively referred to as the "Parties."

BACKGROUND INFORMATION

A. MIDDLEBROOKS is the owner of approximately 96.17 acres of real property located in the northeast quadrant of the intersection of Meridian Road and U.S. Interstate Highway 10 (hereinafter referred to as "I-10") in Leon County, Florida, and described by metes and bounds on the attached **Exhibit "A"** (hereinafter referred to as the "Parent Tract") and being that part of Leon County Property Appraiser's Parcel I.D. No. 1107206100000 located on the north side of I-10. According to information provided by MIDDLEBROOKS' undersigned attorney, Harry M. Middlebrooks planned, prior to his death, to develop the Parent Tract as a cemetery and MIDDLEBROOKS has continued to pursue the plan since his death.

B. The DOT is desirous of implementing plans for the construction of its I-10 widening project in Leon County (hereinafter referred to as the "Project"), including the improvement of interchanges, addition of travel lanes, and construction of holding ponds for the treatment of stormwater runoff from I-10.

C. The Project is needed by the community to provide for safer and more efficient movement of people and goods through Leon County.

D. The Project, when completed, will provide for a third travel lane in each direction, and greatly improved interchanges to harmonize the significant north-south thoroughfares intersecting with I-10.

E. A substantial portion of the existing stormwater runoff from I-10 discharges, untreated, directly to Lake Jackson.

F. The Project, when complete, will provide for treatment of the additional stormwater runoff that will be generated as a consequence of the Project, as well as treatment for the previously untreated stormwater runoff from I-10 in its pre-Project condition, resulting in a net decrease in the pollutant load to Lake Jackson.

G. Pursuant to Section 10-172 of the Leon County Code of Laws (hereinafter referred to as the "Code"), any person proposing to engage in development activity on land must, jointly with the owner of the land on which the development activity is proposed, apply for and obtain an Environmental Management Permit from the COUNTY.

H. The construction of a stormwater management pond is development activity as defined by Section 10-167 of the Code.

I. Pursuant to Section 335.02(4), Florida Statutes, the DOT is exempt from compliance with local regulations, including, but not limited to, such regulations as Section 10-172 of the Code and any other such regulations contained in the Leon County Environmental Management Act (hereinafter referred to as the "Exemption").

J. Despite the Exemption, on or about August 16, 2005, the DOT submitted an application (hereinafter referred to as the "Application") to the COUNTY without the joinder of Middlebrooks for an Environmental Management Permit (hereinafter referred to as the "Permit") for the DOT project numbers 2225892 and 2225932 which included the construction, maintenance and operation of a stormwater management facility identified in DOT's construction plans as "Pond 10".

K. Pond 10 is intended to be constructed on a portion of the Parent Tract.

L. DOT's application for the permit was approved by the Leon County Board of County Commissioners at its meeting on October 11, 2005.

M. The COUNTY, as a condition of the Permit, required the DOT to preserve an area around Pond 10 in a conservation easement in favor of the COUNTY.

N. A dispute exists between the COUNTY, the DOT and MIDDLEBROOKS regarding the possible designation of the Parent Tract or any portion thereof as *High Quality Successional Forest* (hereinafter referred to as "HQSF") as defined in Section 10-1 of the Code.

O. MIDDLEBROOKS takes the position, contrary to the COUNTY, that the portion of the Parent Tract above and south of the 100-year flood elevation line described on the attached **Exhibit "B"** is a natural community type in which regeneration has not occurred in such a manner that native vegetation and wildlife species are dominant in a number and diversity such that when evaluated with standard ecological parameters would be evident that the community would proceed to a native forest type and contains many invasive species and sunlight such that it is not an HQSF.

P. On or about September 1, 2005, the DOT filed a Petition initiating an eminent domain proceeding styled as *State of Florida Department of Transportation vs. RB&J Associates, LTD., a Florida Limited Partnership, and others*, Case No. 05-CA-2106 (hereinafter referred to as the "Lawsuit") in the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida (hereinafter referred to as the "Court").

Q. The Petition requests the Court to allow DOT to condemn an approximate 13.157 acre portion of the Parent Tract identified as Parcel 100 in the Lawsuit (hereinafter referred to as "Parcel 100").

R. A portion of Parcel 100 was intended to be used to be set aside in a perpetual conservation easement in favor of the COUNTY in satisfaction of the conditions of the Permit, despite the Exemption which would have otherwise made the need for a conservation easement unnecessary.

S. The COUNTY and MIDDLEBROOKS are named as Defendants in the Lawsuit.

T. In his Answer and Affirmative Defenses filed with the Court on October 14, 2005, MIDDLEBROOKS sets forth various claims including, but not limited to, that DOT cannot establish the necessity for the taking of Parcel 100 because the Exemption makes the need for the conservation easement unnecessary, that portions of the Code are unconstitutional and unenforceable, that necessity for a taking based solely on an unconstitutional regulation is insufficient to support a taking of private property, that the classification of the Parent Tract or any portion of it as HQSF is incorrect, and that the manner in which the Permit for Pond 10 was obtained was unlawful. In addition, MIDDLEBROOKS represented to the Court in his Answer and Affirmative Defenses that he was in the process of preparing a separate action against the COUNTY, which was to be filed prior to the originally scheduled Order of Taking hearing, seeking injunctive relief and inverse condemnation and challenging, among other things, the constitutionality of all laws, rules, and regulations of the COUNTY pertaining to the regulation of HQSF's.

U. The issues that could be asserted in the Lawsuit are complicated and the litigation of those issues to a conclusion would be time-consuming and costly.

V. By agreement of the Parties, the COUNTY and MIDDLEBROOKS have not filed any further pleadings in the Lawsuit pending ongoing negotiations in good faith of an amicable

settlement.

W. Any significant delay in commencement of the Project could jeopardize federal participation in the cost of the construction thereof.

X. The state of congestion and safety issues associated with the current condition of I-10 in Leon County will be further compounded by any delay in the Project contrary to the health, safety and welfare of the citizens of Leon County.

Y. Because the Project, when complete, will result in a reduction of the pollutant load on Lake Jackson, any delay in the Project will be damaging to Lake Jackson.

Z. The Parties have engaged in extensive good faith negotiations in an effort to resolve their disputes and differences that could be litigated in the Lawsuit and have reached a settlement of all issues that could be asserted in the Lawsuit, including, but not limited to, those claims by MIDDLEBROOKS against the COUNTY as described hereinabove. The purpose and intent of this Agreement is to evidence the terms and conditions of the settlement they have reached.

TERMS AND CONDITIONS

In consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Parties and each of them, the COUNTY, the DOT, and MIDDLEBROOKS hereby agree as follows:

1. The statements of fact reflected in the foregoing section of this Agreement are true and correct and are incorporated herein by reference.
2. The Permit is hereby amended to pertain to the real property described on the attached **Exhibit "C"** (hereinafter referred to as "Parcel 100 Revised") and hereby granted for DOT's project numbers 2225892 and 2225932.
3. The Permit is hereby amended to exclude any condition or requirement that any portion of the Parent Tract be required to be preserved by conservation easement.
4. The Parties hereby consent to the entry of an Order of Taking on December 14, 2005, for Parcel 100 Revised in lieu of Parcel 100 as described in the Petition and other documents filed in the Lawsuit at the time the Petition was filed.
5. When asked to do so by the DOT, MIDDLEBROOKS shall grant and convey to the DOT an easement at least thirty (30) feet in width for ingress and egress to and from Pond 10 and Meridian Road. The easement shall be in a location determined by MIDDLEBROOKS and may be relocated at any time in the future by MIDDLEBROOKS so long as the DOT has access to maintain Pond 10 from Meridian Road. The COUNTY agrees to make all reasonable efforts to expeditiously issue all permits that may be required with respect to any development activities necessary to improve and utilize the easement area as a road to access Pond 10 for construction, improvement, repair, and maintenance.

6. Pursuant to the terms and conditions of a separate agreement between the DOT and MIDDLEBROOKS, executed contemporaneously with this Agreement, the DOT and MIDDLEBROOKS have resolved all compensation issues related to the taking of Parcel 100 Revised.

7. The Parent Tract less and except Parcel 100 Revised is hereinafter referred to as the "Remainder Tract."

8. The COUNTY represents and covenants that it is qualified under the Internal Revenue Code to accept tax deductible donations. No later than ninety (90) days after MIDDLEBROOKS receives the compensation required to be paid by the DOT for the taking of Parcel 100 Revised, MIDDLEBROOKS shall, by gift and at no cost to the COUNTY, grant and convey a conservation easement to the COUNTY over, across, and through that portion of the Remainder Tract lying below and north of the 100-year flood elevation line described on the attached **Exhibit "B"** and over, across, and through that portion of the Remainder Tract lying east of Parcel 100 Revised, and over, across, and through that portion of the Remainder Tract lying east of a line extending due north from the northeast corner of Parcel 100 Revised to the 100-year flood elevation line described on the attached **Exhibit "B"**. The area of the conservation easement lying above and south of the 100-year flood elevation line is depicted on the attached **Exhibit "D"**. The COUNTY agrees to cooperate in a timely manner and in good faith with MIDDLEBROOKS with respect to the completion of all documentation required by the Internal Revenue Service to acknowledge the foregoing gift by MIDDLEBROOKS to the COUNTY. This conveyance of conservation easement satisfies and fulfills any and all permit requirements DOT may have had to provide conservation areas pertaining to DOT project numbers 2225892 and 2225932.

9. The County acknowledges and agrees that the Remainder Tract is suitable in all respects for a cemetery and encourages its use as a cemetery.

10. The COUNTY agrees that the developer of the Remainder Tract as a cemetery shall be entitled to receive credit for any conservation or preservation features (eg significant and severe slopes, etc.) which may exist within the area of the above-mentioned conservation easement.

11. The COUNTY, in consideration of the settlement of any and all issues and claims by MIDDLEBROOKS against the COUNTY that could be asserted in the Lawsuit, including, but not limited to, those described hereinabove, and the donation by MIDDLEBROOKS to the COUNTY of the above mentioned conservation easement, acknowledges and agrees that no portion of the Remainder Tract lying above and south of the 100-year flood elevation line described on the attached **Exhibit "B"** is a *High Quality Successional Forest* as defined in the Code or the Tallahassee-Leon County Comprehensive Plan.

12. This Agreement shall be binding on and inure to the benefit of the successors and assigns of the Parties.

13. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. Any action to enforce any of the provisions of this Agreement must be maintained in Tallahassee, Leon County, Florida.

14. Failure to insist upon strict compliance with any term, covenant, or condition of this Agreement shall not be deemed a waiver of it. No waiver or relinquishment of a right or power under this Agreement shall be deemed a waiver of that right or power at any other time.

15. This Agreement shall not be extended, changed, or modified, except in writing duly executed by the Parties.

16. This Agreement has been negotiated by the parties with the advice of counsel and, in the event of any ambiguity herein, such ambiguity shall not be construed against any party as the author of it.

17. In the event of litigation between the Parties or any two of them to construe or enforce the terms of this Agreement or otherwise arising out of this Agreement, the prevailing party in such litigation shall be entitled to recover from the nonprevailing party its reasonable costs and attorneys fees incurred in maintaining or defending such litigation. The term litigation shall include appellate proceedings. The liability of the parties, as set forth in this paragraph, is intended to be consistent with limitations of Florida law, including any waiver by the DOT or the COUNTY of sovereign immunity pursuant to Section 768.28, Florida Statutes. No obligation imposed by this paragraph shall be deemed to alter said waiver or to extend the liability of either party beyond such limits, nor shall any such obligation be deemed or construed as a waiver of any defense of sovereign immunity to which a party may be entitled.

18. Each of the undersigned attorneys represents and covenants that he has all requisite authority to execute this Agreement on behalf of and to bind his respective client to the terms and conditions of it.

19. This Agreement constitutes the entire agreement of the Parties with respect to the subject matter reflected in it.

Charles R. Gardner
Florida Bar ID No. 173487
Murray M. Wadsworth, Jr.
Florida Bar ID No. 54356
Gardner, Wadsworth, Duggar,
Bist & Wiener, P.A.
1300 Thomaswood Drive
Tallahassee, Florida 32308
(850) 385-0070
Attorney for Harry Mays Middlebrooks, Jr.,
as Personal Representative of the Estate of
Harry M. Middlebrooks, deceased

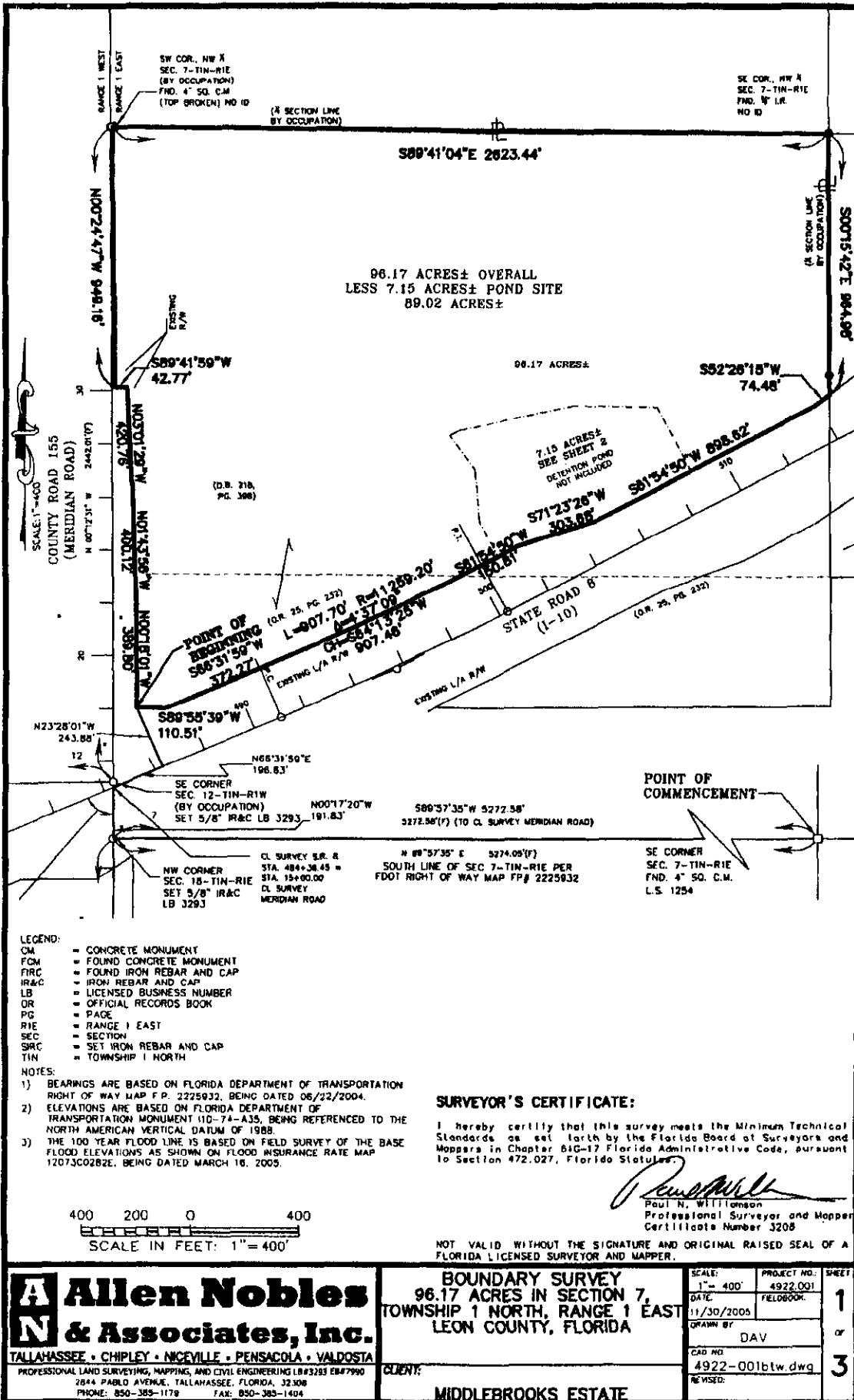
Kathleen Woodham
Florida Bar ID No. 377775
General Counsel
Department of Transportation, District 3
P.O. Box 607
Chipley, Florida 32428
(850) 638- 0250
Attorney for State of Florida, Department
of Transportation

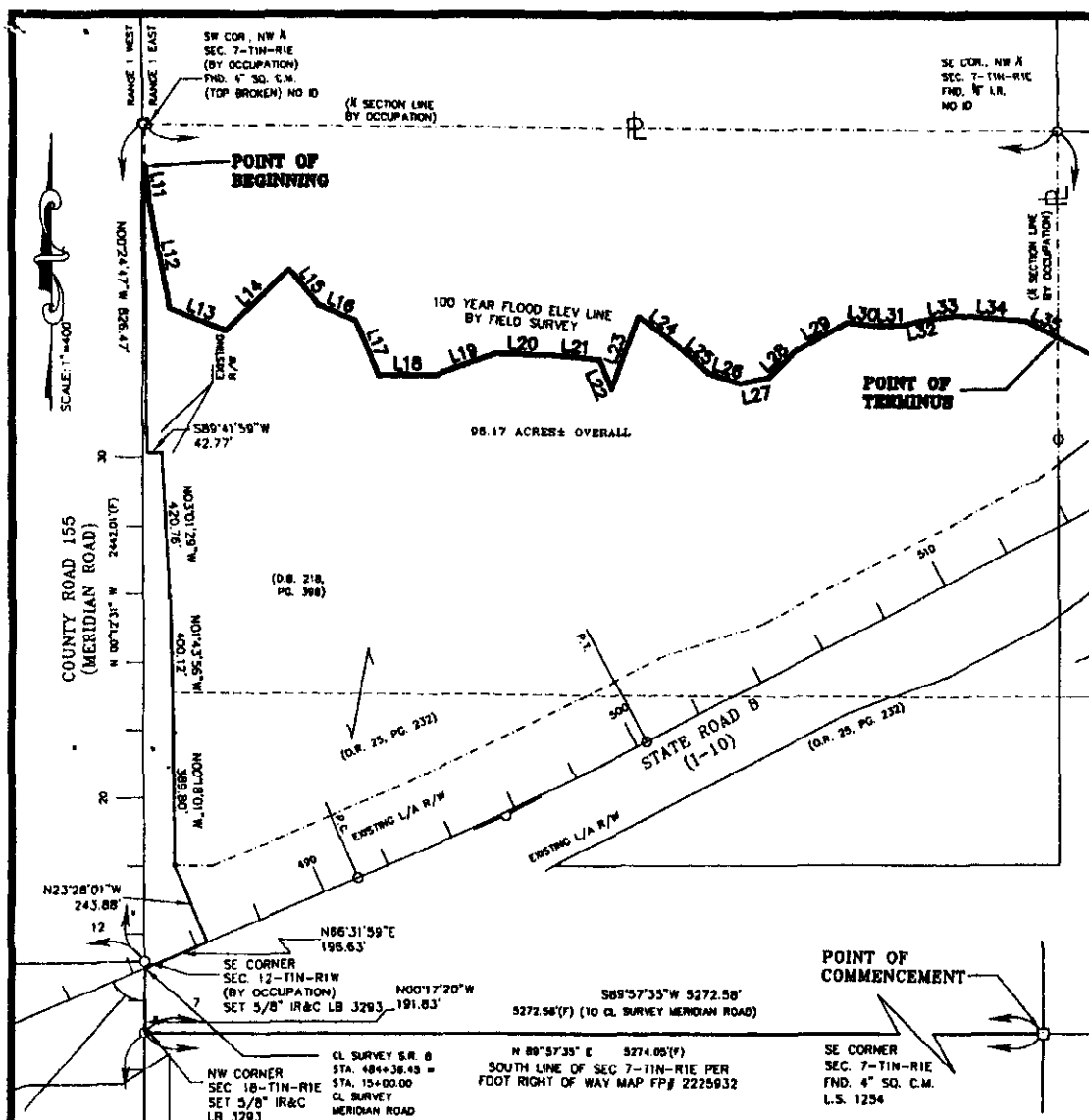
[SIGNATURE OF LEON COUNTY ON FOLLOWING PAGE]

Herbert W. A. Thiele
Florida Bar ID No.: 261327
County Attorney
Daniel Rigo
Florida Bar ID No.: 972797
Assistant County Attorney
County Attorney's Office
301 S. Monroe Street, Suite 202
Leon County Courthouse
Tallahassee, Florida 32301
(850) 487-1008
Attorney for Leon County, a charter county and
political subdivision of the State of Florida

EXHIBIT "A"
(96.17 Acres)

A parcel of land being in the Southeast quarter of Section 7, Township 1 North, Range 1 East, Leon County, Florida, described as follows: Commence at a 4 inch concrete monument marking the Southeast corner of said Section 7; thence run South 89 degrees 57 minutes 35 seconds West a distance of 5272.58 feet along the South line of said Section 7 to an intersection with the centerline of survey of County Road 155 (Meridian Road), as shown on F.D.O.T. Right of Way Map F.P. #2225932, said map being on file at F.D.O.T. District 3 Office, Chipley, Florida; thence run North 00 degrees 17 minutes 20 seconds West a distance of 191.83 feet along said centerline of survey of County Road 155 to an intersection with the centerline of survey of State Road 8 (I-10), as shown on said Right of Way Map; thence run North 66 degrees 31 minutes 59 seconds East a distance of 196.63 feet along said centerline of survey; thence departing said centerline of survey run North 23 degrees 28 minutes 01 seconds West a distance of 243.88 feet to the intersection of the existing Northerly limited access right of way line of State Road 8 (I-10) and the Easterly right of way line of County Road 155 (Meridian Road) for the POINT OF BEGINNING. From said POINT OF BEGINNING thence leaving said Northerly right of way line run along said Easterly right of way line as follows: North 00 degrees 18 minutes 01 seconds West a distance of 389.80 feet, thence run North 01 degrees 43 minutes 56 seconds West a distance of 400.12 feet, thence run North 03 degrees 01 minutes 29 seconds West a distance of 420.76 feet, thence run South 89 degrees 41 minutes 59 seconds West a distance of 42.77 feet, thence run North 00 degrees 24 minutes 47 seconds West a distance of 949.16 feet to the Southwest corner of the Northwest Quarter of said section 7; thence leaving said easterly right of way run South 89 degrees 41 minutes 04 seconds East a distance of 2,623.44 feet to the Southeast corner of the Northwest Quarter of said Section 7; thence run South 00 degrees 15 minutes 42 seconds East a distance of 964.98 feet to the Northerly limited access right of way line of State Road 8 (I-10), thence run South 52 degrees 26 minutes 15 seconds West along said Northerly limited access right of way a distance of 74.48 feet, thence run South 61 degrees 54 minutes 50 seconds West a distance of 898.62 feet, thence run South 71 degrees 23 minutes 26 seconds West a distance of 303.68 feet, thence run South 61 degrees 54 minutes 50 seconds West a distance of 150.81 feet to a point of curve to the right with a radius of 11,259.20 feet through a central angle of 04 degrees 37 minutes 09 seconds for an arc distance of 907.70 feet, (chord of 907.46 feet bears South 64 degrees 13 minutes 25 seconds West), thence run South 66 degrees 31 minutes 59 seconds West a distance of 372.27 feet, thence run South 89 degrees 55 minutes 39 seconds West a distance of 110.51 feet to the POINT OF BEGINNING, containing 4,189,239 square feet or 96.17 acres, more or less.





LEGEND:

- CM = CONCRETE MONUMENT
- FCM = FOUND CONCRETE MONUMENT
- FIRC = FOUND IRON REBAR AND CAP
- IR&C = IRON REBAR AND CAP
- LB = LICENSED BUSINESS NUMBER
- OR = OFFICIAL RECORDS BOOK
- PG = PAGE
- R1E = RANGE 1 EAST
- SEC = SECTION
- SIRC = SET IRON REBAR AND CAP
- TIN = TOWNSHIP 1 NORTH

- NOTES:
- 1) BEARINGS ARE BASED ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP F.P. 2225932, BEING DATED 06/22/2004.
 - 2) ELEVATIONS ARE BASED ON FLORIDA DEPARTMENT OF TRANSPORTATION MONUMENT 110-74-A35, BEING REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988.
 - 3) THE 100 YEAR FLOOD LINE IS BASED ON FIELD SURVEY OF THE BASE FLOOD ELEVATIONS AS SHOWN ON FLOOD INSURANCE RATE MAP 12073C0282E, BEING DATED MARCH 16, 2005.

400 200 0 400
SCALE IN FEET: 1" = 400'

LINE TABLE			LINE TABLE		
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L11	109.06'	S07°39'20"E	L25	124.64'	S48°32'11"E
L12	303.60'	S10°06'17"E	L26	92.00'	S72°33'17"E
L13	175.13'	S88°42'59"E	L27	85.92'	N78°28'28"E
L14	255.41'	N45°35'23"E	L28	100.89'	N44°14'01"E
L15	134.93'	S38°23'53"E	L29	174.43'	N60°17'01"E
L16	115.01'	S67°32'29"E	L30	81.68'	S63°31'34"E
L17	171.18'	S72°56'14"E	L31	78.88'	N89°14'08"E
L18	168.23'	N89°31'37"E	L32	80.91'	N78°01'33"E
L19	181.43'	N70°44'18"E	L33	77.76'	N82°43'45"E
L20	149.19'	S88°35'43"E	L34	195.19'	S83°25'02"E
L21	147.17'	S85°36'49"E	L35	106.70'	S82°28'57"E
L22	91.79'	S2°13'20"E			
L23	221.77'	N19°36'30"E			
L24	138.48'	S52°47'22"E			

SURVEYOR'S CERTIFICATE:

I hereby certify that this survey meets the Minimum Technical Standards as set forth by the Florida Board of Surveyors and Mappers in Chapter 91C-17 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Paul H. Williamson
Paul H. Williamson
Professional Surveyor and Mapper
Certificate Number 3208

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

A Allen Nobles & Associates, Inc.

TALLAHASSEE • CHIPLEY • NICEVILLE • PENSACOLA • VALDOSTA
PROFESSIONAL LAND SURVEYING, MAPPING, AND CIVIL ENGINEERING (B33293 EB#7990)
2844 PABLO AVENUE, TALLAHASSEE, FLORIDA, 32308
PHONE 850-385-1179 FAX: 850-385-1404

SPECIAL PURPOSE SURVEY TO DESCRIBE THE 100 YEAR FLOOD LINE AS DETERMINED BY FIELD SURVEY

CLIENT:

MIDDLEBROOKS ESTATE

SCALE: 1"=400'	PROJECT NO: 4922-001	SHEET
DATE: 11/30/2005	FIELDBOOK: 872/875	1
DRAWN BY: DAV		2
CAD NO: 4922-001btw.dwg		
REVISED:		

ANA Project Number: 4922.001

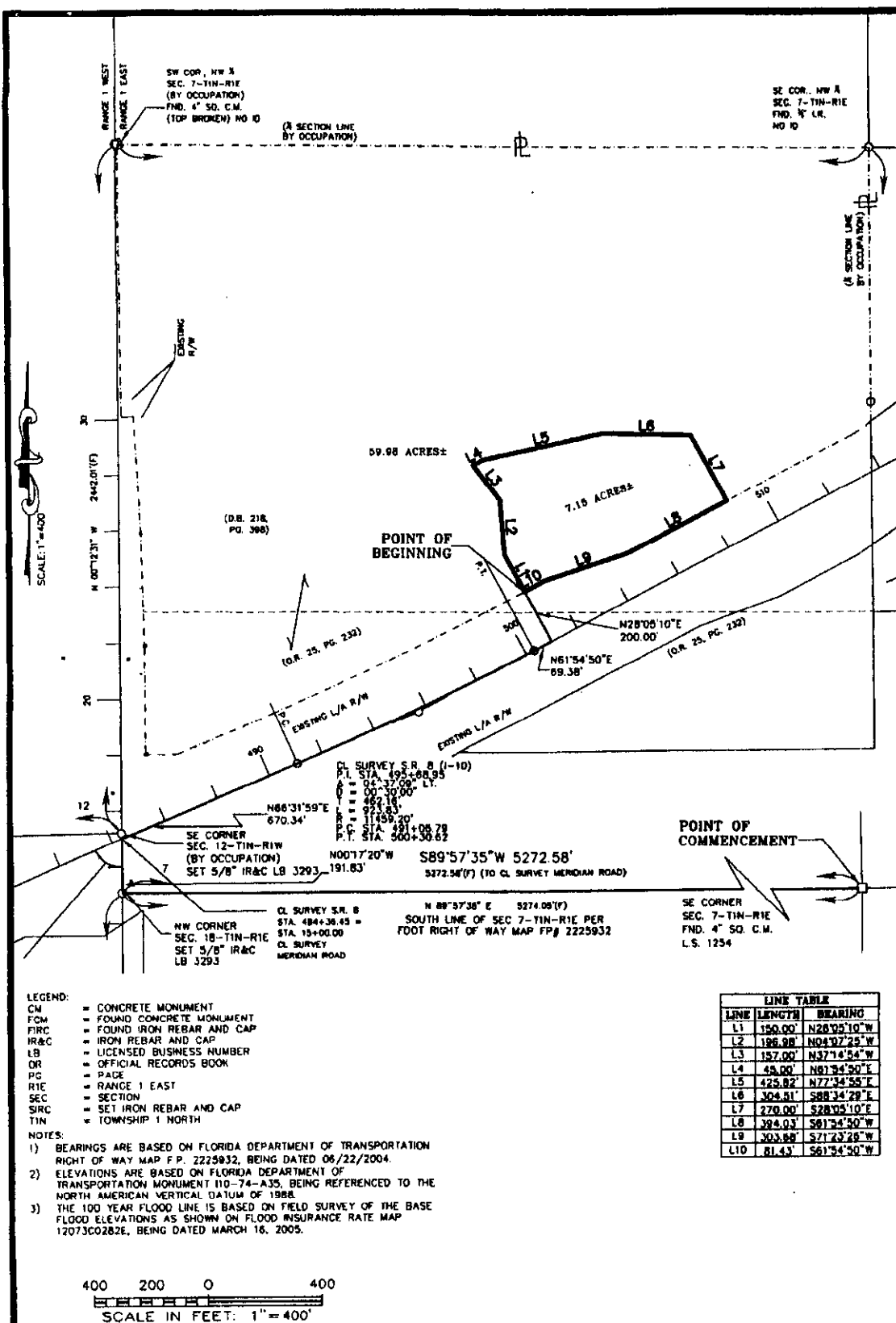
November 30, 2005

Sheet 2 of 2

A line defining, by field survey, the 100 year flood line being in the Southeast quarter of Section 7, Township 1 North, Range 1 East, Leon County, Florida, described as follows: Commence at a 4 inch concrete monument marking the Southeast corner of said Section 7; thence run South 89 degrees 57 minutes 35 seconds West a distance of 5272.58 feet along the South line of said Section 7 to an intersection with the centerline of survey of County Road 155 (Meridian Road), as shown on F.D.O.T. Right of Way Map F.P. #2225932, said map being on file at F.D.O.T. District 3 Office, Chipley, Florida; thence run North 00 degrees 17 minutes 20 seconds West a distance of 191.83 feet along said centerline of survey of County Road 155 to an intersection with the centerline of survey of State Road 8 (I-10), as shown on said Right of Way Map; thence run North 66 degrees 31 minutes 59 seconds East a distance of 196.63 feet along said centerline of survey; thence departing said centerline of survey run North 23 degrees 28 minutes 01 seconds West a distance of 243.88 feet to the intersection of the existing Northerly limited access right of way line of State Road 8 (I-10) and the Easterly right of way line of County Road 155 (Meridian Road), thence leaving said Northerly right of way line run along said Easterly right of way line as follows: North 00 degrees 18 minutes 01 seconds West a distance of 389.80 feet, thence run North 01 degrees 43 minutes 56 seconds West a distance of 400.12 feet, thence run North 03 degrees 01 minutes 29 seconds West a distance of 420.76 feet, thence run South 89 degrees 41 minutes 59 seconds West a distance of 42.77 feet, thence run North 00 degrees 24 minutes 47 seconds West a distance of 826.47 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING; thence leaving said easterly right of way run South 07 degrees 59 minutes 20 seconds East a distance of 109.08 feet, thence run South 10 degrees 06 minutes 17 seconds East a distance of 303.60 feet, thence run South 68 degrees 42 minutes 59 seconds East a distance of 175.13 feet, thence run North 45 degrees 55 minutes 23 seconds East a distance of 255.41 feet, thence run South 39 degrees 23 minutes 53 seconds East a distance of 134.53 feet, thence run South 67 degrees 33 minutes 29 seconds East a distance of 115.01 feet, thence run South 22 degrees 56 minutes 14 seconds East a distance of 171.16 feet, thence run North 89 degrees 31 minutes 37 seconds East a distance of 168.23 feet, thence run North 70 degrees 44 minutes 18 seconds East a distance of 181.43 feet, thence run South 88 degrees 35 minutes 43 seconds East a distance of 149.19 feet, thence run South 85 degrees 56 minutes 49 seconds East a distance of 147.17 feet, thence run South 24 degrees 13 minutes 20 seconds East a distance of 91.79 feet, thence run North 19 degrees 56 minutes 30 seconds East a distance of 221.77 feet, thence run South 52 degrees 47 minutes 22 seconds East a distance of 138.48 feet, thence run South 48 degrees 52 minutes 11 seconds East a distance of 124.64 feet, thence run South 72 degrees 33 minutes 17 seconds East a distance of 92.00 feet, thence run North 78 degrees 28 minutes 28 seconds East a distance of 85.95 feet, thence run North 44 degrees 14 minutes 01 seconds East a distance of 100.96 feet, thence run North 60 degrees 17 minutes 01 seconds East a distance of 174.43 feet, thence run South 83 degrees 51 minutes 34 seconds East a distance of 81.66 feet, thence run North 89 degrees 14 minutes 08 seconds East a distance of 78.86 feet, thence run North 76 degrees 01 minutes 53 seconds East a distance of 80.91 feet, thence run North 82 degrees 45 minutes 45 seconds East a distance of 77.76 feet, thence run South 85 degrees 25 minutes 02 seconds East a distance of 195.19 feet, thence run South 62 degrees 29 minutes 57 seconds East a distance of 106.70 feet to the POINT OF TERMINUS.

EXHIBIT "C"
(Parcel 100 Revised)

A parcel of land being in the Southwest $\frac{1}{4}$ of Section 7, Township 1 North, Range 1 East, Leon County, Florida, described as follows: Commence at a 4 inch square concrete monument (L.S. 1254) marking the southeast corner of said Section 7; thence South $89^{\circ}57'35''$ West 5,272.58 feet along the south line of said Section 7 to an intersection with the centerline of survey of County Road 155 (Meridian Road), as shown on F.D.O.T. Right of Way Map F.P. #2225932, said map being on file at F.D.O.T. District 3 Office, Chipley, Florida; thence North $00^{\circ}17'20''$ West 191.83 feet along said centerline of survey of County Road 155 to an intersection with the centerline of survey of State Road 8 (I-10), as shown on said Right of Way Map; thence North $66^{\circ}31'59''$ East 670.34 feet along said centerline of survey to a point on a tangent curve to the left (concave northwesterly); thence northeasterly along said curve, having a radius of 11,459.20 feet, for a distance of 923.83 feet, through a central angle of $04^{\circ}37'09''$ to end of curve; thence North $61^{\circ}54'50''$ East 69.38 feet along said centerline of survey; thence departing said centerline of survey, run North $28^{\circ}05'10''$ West 200.00 feet to the existing northerly limited access right of way line of said State Road 8, as shown on said Right of Way Map, and POINT OF BEGINNING; thence departing said right of way line, run North $28^{\circ}05'10''$ West 150.00 feet; thence North $04^{\circ}07'25''$ West 196.98 feet; thence North $37^{\circ}14'54''$ West 157.00 feet; thence North $61^{\circ}54'50''$ East 45.00 feet; thence North $77^{\circ}34'55''$ East 425.82 feet; thence South $88^{\circ}34'29''$ East 304.51 feet; thence South $28^{\circ}05'10''$ East 270.00 feet to said existing northerly limited access right of way line of State Road 8; thence South $61^{\circ}54'50''$ West 394.03 feet along said right of way line; thence South $71^{\circ}23'26''$ West 303.68 feet; thence South $61^{\circ}54'50''$ West 81.43 feet along said right of way line to POINT OF BEGINNING; Containing 7.151 acres, more or less.



LINE TABLE		
LINE	LENGTH	BEARING
L1	150.00'	N28°05'10\"W
L2	186.88'	N04°12'25\"W
L3	157.00'	N37°14'54\"W
L4	45.00'	N61°34'50\"E
L5	425.82'	N77°34'55\"E
L6	304.81'	S88°34'29\"E
L7	270.00'	S28°05'10\"E
L8	394.03'	S61°34'50\"W
L9	303.88'	S71°23'28\"W
L10	81.43'	S61°34'50\"W

LEGEND:
CM = CONCRETE MONUMENT
FCM = FOUND CONCRETE MONUMENT
FIRC = FOUND IRON REBAR AND CAP
IR&C = IRON REBAR AND CAP
LB = LICENSED BUSINESS NUMBER
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SEC = SECTION
SIRC = SET IRON REBAR AND CAP
T1N = TOWNSHIP 1 NORTH

- NOTES:
- 1) BEARINGS ARE BASED ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP F.P. 2225932, BEING DATED 06/22/2004.
 - 2) ELEVATIONS ARE BASED ON FLORIDA DEPARTMENT OF TRANSPORTATION MONUMENT 110-74-A35, BEING REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988.
 - 3) THE 100 YEAR FLOOD LINE IS BASED ON FIELD SURVEY OF THE BASE FLOOD ELEVATIONS AS SHOWN ON FLOOD INSURANCE RATE MAP 12073C0282E, BEING DATED MARCH 16, 2005.

400 200 0 400
SCALE IN FEET: 1" = 400'

A Allen Nobles & Associates, Inc.
TALLAHASSEE • CHIPLEY • NICEVILLE • PENSACOLA • VALDOSTA
PROFESSIONAL LAND SURVEYING, MAPPING, AND CIVIL ENGINEERING 187393 E887990
2844 PABLO AVENUE, TALLAHASSEE, FLORIDA, 32308
PHONE 850-385-1179 FAX 850-385-1404

BOUNDARY SURVEY
7.15 ACRE± IN SECTION 7,
TOWNSHIP 1 NORTH, RANGE 1 EAST
LEON COUNTY FLORIDA

CLIENT:

MIDDLEBROOKS ESTATE

SCALE: 1"=400'
DATE: 11/30/2005
DRAWN BY: DAV
CAD NO.: 4922-001btw.dwg
REWSBY:

PROJECT NO.: 4922.001
FEEDBOOK: N/A
SHEET: 2
OF: 3

SCALE: 1"=400'

COUNTY ROAD 155
(MERIDIAN ROAD)

RANGE 1 WEST
RANGE 1 EAST

SW CORNER, NW ¼
SEC. 7-TIN-R1E

46.80 ACRES ±
CONSERVATION EASEMENT

STATE ROAD 8
(1-10)

SE CORNER
SEC. 12-TIN-R1W
7

NW CORNER
SEC. 18-TIN-R1E

SOUTH LINE OF SEC 7-TIN-R1E PER
FOOT RIGHT OF WAY MAP FP# 2225932

POINT OF
COMMENCEMENT

SE CORNER
SEC. 7-TIN-R1E
FND. 4" SO. C.M.
L.S. 1254

EXHIBIT "D"

400 200 0 400
SCALE IN FEET: 1"=400'

NOT A SURVEY

**Allen Nobles
& Associates, Inc.**

TALLAHASSEE • CHIPLEY • NICEVILLE • PENSACOLA • VALDOSTA
PROFESSIONAL LAND SURVEYING, MAPPING, AND CIVIL ENGINEERING LB#3293 FB#7990
2844 PABLO AVENUE, TALLAHASSEE, FLORIDA, 32308
PHONE: 850-385-1178 FAX: 850-385-1404

SKETCH OF
CONSERVATION EASEMENT AREA

CLIENT:

MIDDLEBROOKS ESTATE

SCALE: 1"=400'	PROJECT NO.: 4922-001	SHEET 1
DATE: 12/01/2005	FIELDBOOK:	or 2
DRAWN BY: DAV	CAD NO.: 4922-001btw.dwg	
REVISED:		